

CGB-CC-0961

Received & Inspected

JAN - 8 2010

FCC Mail Room



Rachelle Entertainment Productions, LLC
4151 Middlefield Rd Ste 101
Palo Alto, CA 94303

January 07, 2010

Commission's Secretary
Office of the Secretary
Federal Communications Commission
Attn: CGB
Room 3-B431
Closed Captioning
445 12th Street, S.W.
Washington, D.C. 20554

**RE: REQUEST FOR EXEMPTION FROM COMMISSION'S CLOSED
CAPTIONING RULES CGB-CC-0426**

Rachelle Entertainment Productions, LLC (hereinafter, REP) would like to request an exemption from the closed captioning requirements, pursuant to Section 79.1 of the Commission's rules, 47 C.F.R. § 79.1, for its program "**Veronica's Blog**." Petitioner claims that compliance would impose an undue burden, as defined in Section 79.1(f) of the Commission's rules, 47 C.F.R. § 79.1(f).

REP, a production company respectfully submits this petition on behalf of **Veronica's Blog**, a television show for children exploring their culture, requesting exemption from the closed captioning requirements, under Section 79.1 of the Commission's rules, 47 C.F.R. & 79.1. REP believes our program Veronica's Blog qualifies for this exemption for the following reasons:

- (1) the nature and cost of the closed captions for the programming;
- (2) the impact on the operation of the provider or program owner;
- (3) the financial resources of the provider or program owner; and
- (4) the type of operations of the provider or program owner

Part 79.1 Section (D)

Veronica's Blog is a locally produced and distributed educational program for children showing on CW 44 Cable 12 local channel covering the San Francisco Bay Area. The program is of local public interest serving viewers in a localized area only such as Santa Clara, San Mateo, San Francisco, Marin, and Alameda Counties .



VERONICA'S BLOG

4151 Middlefield Rd Ste 101
Palo Alto, CA 94303

T 650.862.0632
F 650.204.6979



Part 79.1 Section (F)

Compliance would impose an undue burden to REP for the following reasons:

(1) Since REP does not have "closed captioning" equipment and have limited technical capabilities, it would be necessary to send the programs to an outside source for captioning. This would severely impact meeting air date deadlines because the minimal turnaround time for the closed captioning service is 3 days. Our first shoot day begins on January 9, 2010 with an air date on January 23, 2010. Given the timing and our small staff, this would be impossible to meet. Further, the added production cost would make production of the television program unaffordable which would cause REP to discontinue programming and cease broadcast operations. An affidavit showing the unaffordable cost is hereto attached and labeled EXHIBIT "A".

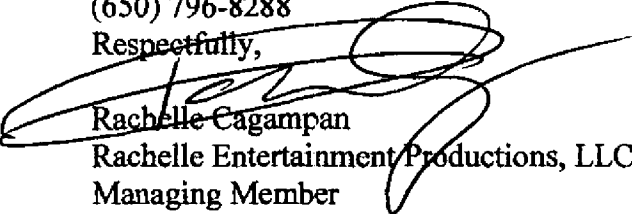
(2) REP is not funded or granted in any way by outside sources. REP relies on the support of the Executive Producer herself which essentially is operating on borrowed funds. There are no sponsors or donors at this time. Sponsors need to be secured via advertisements and commercial sales. The significant added cost would be an undue burden on the Executive Producer at this time.

(3) REP is a newly organized entertainment production company whose show's sole purpose is to share the educational aspects of one's culture to the community. It is not a money-making or profitable show.

We acknowledge the importance of closed captioning, but until we have a few successful seasons and growth, we may not be capable to support this service at this time. Again we respectfully request that REP be exempted from the closed captioning requirement for the above stated reasons. We may be reached at:

Rachelle Entertainment Productions, LLC
4151 Middlefield Rd Suite 101
Palo Alto, CA 94303
(650) 796-8288

Respectfully,


Rachelle Cagampan
Rachelle Entertainment Productions, LLC
Managing Member



State of California

County of Santa Clara

Subscribed and sworn to (or affirmed) before me on this 7th day of January, 2010,
by Rachelle Cagampang, personally known to me or proved to me on the basis
of satisfactory evidence to be the person(s) who appeared before me.

(Seal)



Signature

Marc Friedman

SmartZone Communications Center Collaboration Suite

rachel88@comcast.net

Closed Captioning Quote: Veronica's Blog

Wednesday, December 23, 2009 12:35:13 PM

From: pmurphy@motivision.tv

To: rachel88@veronicasblog.com

Rachelle-

I visited your website yesterday, it looks really good and it is a site I imagine fits the demographic age group very well. I saw that program is your "brain child" -and that is no small feat! As you know, putting a television program together is tougher than it looks. Television takes some magic....and only a few people can do it well. It looks as though you have got a captured audience, so I applaud your actions and achievements. I would be happy to give you a quote for Closed Captioning!

Here's a little about us: At MotiVision Captioning, we specialize in Closed Captioning Services. Over the last 7 ½ years, we have done over 6,000 Closed Captioning projects. Our experience in handling production deadlines and our attention to detail has made us one of the premiere post production captioning services in the Midwest. You can be assured that your client's projects will always be handled with special attention to make sure your programmers are satisfied with the end result.

Because of new Federal Closed Captioning requires that 100% of all television programming needs to be captioned, to make your programmers more able meet the mandate, and to provide them with this very competitive quote. We do Closed Captioning in every tape format (Digibeta, Beta SP, Mini DV, DVC Pro 50 / 25, DVCam and DVD) for nearly every type of program. So if you have a different tape format, feel free to call me and I can get you a quote that will be more specific and meet your needs.

Below you will find a quote that I believe will help assist you and your many clients with their closed captioning needs. I hope to hear from you soon!

Closed Captioning Quote for: "Veronica's Blog"

List of Prospective Sponsors we e-mailed without any response:

CLARMIL Manufacturing rgmacasaetjr@clarmilnfg.com

LBC gemma@teamlbc.com

Inquirer esther.chavez@inquirerinc.net

Seafood City catherine.quien@seafoodcity.com

Ramar Foods pj@ramarfoods.com

Jollibee beth.delacruz@jollibeeusa.com

Asian Journal michael.nitro@asianjournalinc.com

TRT: 28:30

Number of Programs/Shows: (13) 28:30 Minute Programs

Format: "Multi-Talent Kids Program" on Beta SP

Number of Dubs: (1) Beta SP Dub per program

Quote: \$250.00 a Program!

\$250 per episode not including shipping/delivery fees

We will provide you with:

- **Transcription (with copy of Transcription sent back to you via email)**
- **1 Beta SP Master of Program (Closed Captioned)**
- **Your Original Beta SP Master Tape back**

Tape and Transcription are included in the Quote!

If you send us an Mp3 audio of the "approved master" and email it to me, I can knock a few days off of our 5 business day turnaround time. If you are going to send me an Mp3, you can send it using a free FTP service called: YouSendIt.com and using YouSendit.com you can send it to this email address: michael@motivision.tv and copy it to pmurphy@motivision.tv

Shipping & Handling is not included in the quote, but will be billed on your invoice included with project. We normally require a ½ down before the project begins, normally people send a check along with the project, or you can pay online. If that is your preferred method, I can give you the link of where to do that. We look forward to working with you on this project. Let me know if you have any questions about your quote, feel free to call me at my office. (918) 250-4588.

We can get a project turned around in 2-3 business days from the date they arrive. (*All Without A Rush Charge!*) Let me know if this quote sounds good to you. Let me know if you have any questions, feel free to call me at my office. (918) 250-4588 ext. 106 or you can call my cell (918) 271-4324. I'll be happy to answer any questions you may have, and I would love to earn your business!

Thank you!

Patrick Murphy
MotiVision Captioning
8321 E. 61st Street Suite 100
Tulsa OK 74133
Ph: (918) 250-4588 ext. 106
Fax: (918) 294-1186
Cell: (918) 271-4324
pmurphy@motivision.tv
www.motivision.tv/captioning

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01/07/10

Accrual Basis

Rachelle Entertainment Production, LLC**Profit & Loss**

January through December 2009

	<u>Jan - Dec 09</u>
Ordinary Income/Expense	
Income	
Advertising	12,000.00
Sales	12,502.87
Total Income	<u>24,502.87</u>
Cost of Goods Sold	
Production Assistant Fees	880.75
Total COGS	<u>880.75</u>
Gross Profit	23,622.12
Expense	
Advertising And Promotions	13,627.63
Automobile Expense	505.76
Bank Service Charges	226.84
Business Licenses and Permits	172.00
Casual labor	930.00
Computer and Internet Expenses	41.57
Marketing Expense	28,006.11
Meals and Entertainment	2,968.59
Miscellaneous Expense	477.77
Office Supplies	1,764.53
Postage and Delivery	23.24
Professional Fees	11,484.87
Rent Expense	928.55
Travel Expense	4,804.26
Utilities	109.03
Total Expense	<u>66,070.75</u>
Net Ordinary Income	-42,448.63
Other Income/Expense	
Other Expense	
Ask My Accountant	31,479.73
State Income Tax	800.00
Total Other Expense	<u>32,279.73</u>
Net Other Income	-32,279.73
Net Income	<u><u>-74,728.36</u></u>

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01/07/10

Accrual Basis

Rachelle Entertainment Production, LLC
Balance Sheet
As of December 31, 2009

	<u>Dec 31, 09</u>
ASSETS	
Current Assets	
Checking/Savings	
Bank Of America - 61883	<u>25,525.50</u>
Total Checking/Savings	<u>25,525.50</u>
Total Current Assets	25,525.50
Other Assets	
Deposit	<u>192.00</u>
Total Other Assets	<u>192.00</u>
TOTAL ASSETS	<u>25,717.50</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Loan From Rachelle Cagampan	<u>100,045.86</u>
Total Other Current Liabilities	<u>100,045.86</u>
Total Current Liabilities	<u>100,045.86</u>
Total Liabilities	100,045.86
Equity	
Opening Balance Equity	400.00
Net Income	<u>-74,728.36</u>
Total Equity	<u>-74,328.36</u>
TOTAL LIABILITIES & EQUITY	<u>25,717.50</u>



0520 P P
E0-3

Your Bank of America Business Checking Statement

Statement Period:
December 1 through December 31, 2009

Account Number: ~~XXXXXXXXXX~~

At Your Service
Call: 650.324.4433

Written Inquiries
Bank of America
Stanford Branch
PO Box 37176
San Francisco, CA 94137-0176

Customer since 2009
Bank of America appreciates your
business and we enjoy serving you.

Our free Online Banking service allows you to check balances, track account activity, pay bills and more. With Online Banking you can also view up to 18 months of this statement online. Enroll at www.bankofamerica.com/smallbusiness.

Summary of Your Business Checking Account

Beginning Balance on 12/01/09	\$2,002.16	Number of checks paid	11
Total Deposits and Credits	+ 49,000.00	Number of electronic checks paid	0
Total Checks, Withdrawals, Transfers, Account Fees	- 49,643.85	Number of 24 Hour Customer Service Calls	
Ending Balance	\$1,358.31	Self-Service	0
		Assisted	0

Important Information About Your Account

Remember, by using your Bank of America Small Business Check Card, Bank of America provides you with another way to avoid the monthly maintenance fee on your business checking account.

Account Activity

Date Posted	Description	Reference #	Debits	Credits	Daily Balance
12/01	Deposit			\$ 8,000.00	\$10,002.16
12/02	Check # 148		\$ 74.37		
12/02	Check # 149		510.25		\$9,417.54
12/03	Check # 151		\$ 3,000.00		\$6,417.54
12/04	Check # 150		\$ 2,327.44		\$4,090.10
12/07	Check Card Purchase on 12/06 (Card #617374562), Apl*itunes 866-712-7753 CA Ref #24692169340000516802613		\$ 10.71		\$4,079.39
12/08	Check # 152		\$ 200.00		

Continued on next page

California

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☐ **Account Activity** Continued

Date Posted	Description	Reference #	Debits	Credits	Daily Balance
12/11	Check Card Purchase on 12/10 (Card #617374562), Apl*itunes 866-712-7753 CA Ref #24692169344000248821721		\$ 13.59		\$3,879.39
12/14	Check # 159		\$ 100.00		\$3,865.80
12/14	Check Card Purchase on 12/12 (Card #617374562), Online Classifieds 303-339-3844 CO Ref #24761979346275544010155		21.00		\$3,744.80
12/15	Check Card Purchase on 12/11 (Card #617374562), San Francisco Daily 415-346-8282 CA Ref #24275049348980001091429		\$ 75.00		\$3,669.80
12/16	Check # 154		\$ 146.55		\$3,669.80
12/16	Purchase on 12/15 (Card #617374562), Shell Service Sta Palo Alto CA	788922	45.49		\$3,477.76
12/18	Check Card Purchase on 12/17 (Card #617374562), Apl*itunes 866-712-7753 CA Ref #24692169351000432597020		\$ 2.28		\$3,475.48
12/21	Check # 155		\$ 338.00		\$3,475.48
12/21	Check Card Purchase on 12/18 (Card #617374562), Tm *black Eyed Peas 415-421-8497 CA Ref #24692169352000632573432		1,260.20		\$1,877.28
12/22	CA Tir transfer Banking Ctr Hawthorne San Antonio #0001099 CA Confirmation# 2853179239			\$ 40,000.00	\$41,877.28
12/23	Check Card Purchase on 12/22 (Card #617374562), Goldilocks San Jos San Jose CA Ref #24224439357103002277201		\$ 37.75		\$41,839.53
12/24	Check # 157		\$ 850.00		\$40,989.53
12/28	Check # 147		\$ 40,000.00		\$977.23
12/28	Check Card Purchase on 12/25 (Card #617374562), Apl*itunes 866-712-7753 CA Ref #24692169359000859315346		12.30		\$976.37
12/29	Check Card Purchase on 12/28 (Card #617374562), Apl*itunes 866-712-7753 CA Ref #24692169362000214213686		\$.86		\$976.37
12/30	ATM deposit on 12/30, Bank of America ATM #ICAD2814 (Card #617374562)	004844		\$ 1,000.00	\$1,976.37
12/31	Check # 161		\$ 612.50		\$1,358.31
12/31	Check Card Purchase on 12/30 (Card #617374562), Apl*itunes 866-712-7753 CA Ref #24692169364000456761382		5.56		\$1,358.31

☐ **ATM Information**

This period, you visited the following ATM locations:

Bank of America's ATM Network

- #ICAD2814 Bank Of America, Los Altos, CA

RACHELLE ENTERTAINMENT
PRODUCTIONS, LLC.

Statement Period: December 1 through December 31, 2009
Account Number: ~~XXXXXXXXXX~~

☐ **FACTS - FDIC Insured Account Disclosure Information**

Bank of America would like to remind our small business account holders that accounts may not be used for illegal transactions, for example those prohibited by the Unlawful Internet Gambling Enforcement Act 31 U.S.C. Section 5361 et. seq.